

April 18, 2017

*Strategic Goals: (1) Ensure that Vermont's public education system operates within the framework of high expectations for every learner and ensure that there is equity in opportunity for all.
(2) Ensure that the public education system is stable, efficient, and responsive to changes and ever-changing population needs, economic and 21st century issues.*

State Board of Education Approved Minutes

Present:

State Board of Education Members: Krista Huling, Bill Mathis, Mark Perrin, Peter Peltz, John Carroll, Stacy Weinberger, Connor Solimano, John O'Keefe, Bonnie Johnson-Aten and Rainbow Chen.

Agency of Education (AOE): Rebecca Holcombe, Clare O'Shaughnessy, Suzanne Sprague, Haley Dover, Donna Russo-Savage, Amy Fowler, Jen Gresham

Others: **Sam Walker, UVM/Burlington; Gracie Harvey, UVM/Burlington;** Ken Page, Vermont Principals' Association; Mill Moore, VISA; Jeff Francis, Vermont Superintendents' Association; Emily Bradbury, Stowe; Jim Brockhausen, Stowe; Kathy Larsen, Wilmington; Chum Sumner, Halifax; Mary King, Readsboro; Chris Pratt, Windham Southwest Superintendent; Steve Sanborn, Consultant; Diane Reilly, Hyde Park, Principal; Tammy Heffeman, Mill River Unified Union School District; Lewis Bushey, Barnet; Ray Lewis, Walden; Heather Gonyou, Waterford; Pater Clark, Caledonia Cooperative Consultant; Mat Forest, Caledonia Central Superintendent; Mike Clark, Essex Caledonia Superintendent; Dave Venter, Mount Holly; Craig Huttvater, Mount Holly; Lauren Baker, Two Rivers SU; Dan Buckley, Ludlow; Cindy Koenemann-Warren, Windham Southwest Counsel; Paul Blais, Halifax School Board; Karen Trimboli, Ludlow; Meg Powden, TRSU; Josh O'Gorman, Act 46 Project; Laura Pelosi, MMR; Howard Weiss-Tisman, VPR; Grant Reynolds, Tinmouth/Mill River; Mariel Meringolo, Ludlow; Reeva Murphy, AHS; Matt Levin, Vermont Early Childhood Alliance

Item A: Call to Order

Chair Huling called the meeting to order at 9:02 a.m.

Item B: Roll Call and Introductions

Chair Huling asked Board members to introduce themselves.

Item C: Public to be Heard

Sam Walker from UVM addressed the board on the benefits of recess and physical activity in children through the 8th grade. Chair Huling invited Walker to check out Montpelier High School which offers recess to their high school students. She added some schools are being very innovative in incorporating physical activity into the students' school day.

Ken Page, Executive Director of the Vermont Principals' Association, advised the board that Jay Nichols will be his replacement at the VPA upon his retirement at the end of June 2017. Page also spoke of the upcoming VPA Summer Leadership Academy which takes place on August 1, 2 and 3. He invited the Board members to attend.

Item D: Consent Agenda

Chair Huling asked if there was a motion to approve the consent agenda. Johnson-Aten commented that she was omitted from attending last month's meeting as did Chen. Carroll added that the vote on Mathis' election as Vice Chair should change from 5:2 to 7:2.

Motion: Mathis moved to approve the consent agenda with the changes to the minutes. Weinberger seconded this motion. There was no further discussion.

Vote: The vote was passed.

Item E: Board Announcements

Vice Chair Mathis said that he participated in the Governor's Affairs Committee Conference call for NASBE. He said that there is a lot of talk around vouchers in the Federal Administration. Vice Chair Mathis continued that these will be realized by tax breaks rather than by taking the fund from programs such as Title I. In addition, he conducted a panel for the American Educational Finance and Policy Group in Washington, D.C. where they presented results on reform efforts.

Item F: Chair's Report

Chair Huling began by stating that she was invited to meet with the House Education Committee to discuss several topics including Act 46, staff needs, Rule 3400 series and Rule 2200 series. She said that the committee was interested in knowing how many times SBE members were invited to the State House. Peltz confirmed that he and Mathis went earlier in the session. Chair Huling said that the intent of the House Education Committee is to invite the SBE members more for input.

Chair Huling advised the new State Board members that there is new member training available from NASBE. Additionally, she asked NASBE for guidance on media inquiries. NASBE is working on this and will pull language from other states' media policies and will forward that information to her.

Item G: Committee Reports

Vice Chair Mathis said that what was not discussed at the last meeting was the Legislative Committee Proposal. He said that the Board does not have sufficient and timely monitoring capacity at the State House. Vice Chair Mathis suggests that the Board identify 4 or 5 topics to follow and ask Board members to monitor the topics. He continued that the Board member would be active and proactive representing the Board. Weinberger said this could be challenging especially because everyone on the Board belongs to other organizations and this could be difficult. Chair Huling said that as long as the member focuses on the higher principles it should be ok but once the member gets in the weeds it will be much harder.

Vice Chair Mathis said that at the retreat the Board should identify priorities and be organized by fall to be proactive when the session starts.

Motion: Mathis moved to direct the Chair of the Board to write a letter to the Senate Appropriations with copies to the House Appropriations committee, and House and Senate Education Committees asking them for the staff that is required for us by law. Johnson-Aten seconded the motion. Discussion followed.

Vote: The vote passed.

Item H: Student Reports

Solimano said that several weeks ago, the Rutland High School held the Global Issues Network Conference. He added Secretary Holcombe attended along with some representatives from Senator Sanders' office, both of which spoke at the conference. Solimano continued that the purpose is to focus on the global issues of the world and through global learning become a global citizen. He said that the conference is well received and many schools send students to participate.

Chen said that she worked on a local project called iLab where you can take any subject and get credit for it. She said her project focused on personalized learning and Act 77 in Vermont. Chen visited local schools to see the schools' models and curriculum. She learned that the schools' approaches are very different. Chen additionally said that some schools will need additional support in moving forward with an equitable approach and proficiency grading.

Chen said that she participated in the Annual Treasures Cup which promotes student interest in and knowledge of personal finance, economics, and consumer affairs topics. Chen said there was a Montpelier Climate Youth Rally for grades 6-12. She said it is empowering for students to take this approach. Finally, Chen mentioned that several Vermont musicians are participating in the New England Music Festival, the All Eastern Music Festival and the National Youth Orchestra and representing Vermont on the national scale.

Item J: Rules 2200

Chair Huling acknowledged that this is a very complicated issue and noted that this process goes back to November 2015. She reminded the group that all paperwork is located on the Agency of Education web site. Clare O'Shaughnessy, Agency of Education, described the differences in policy and rules between Maine, New Hampshire, Connecticut, Massachusetts and New York. Huling explained the outcomes from the recent meeting of the Rules 2200 subcommittee which include the guiding principles, re-affirmation of principles and the proposed steps forward for the Rule 2200 series. Huling said that there is a Miscellaneous Education bill (S.130) that includes a designated study group by the legislature that will duplicate the phases outlined in 2, 3 and 4 in the proposed steps moving forward. Discussion followed.

Motion: Vice Chair Mathis made a motion to adopt the plan as explained by Chair Huling. Perrin seconded. Carroll offered an amendment to the plan. He suggested that the statement with the double asterisk "If the legislature takes any action around Rule 2200 Series, the subcommittee will revisit the plan and bring it back to the board," be replaced with, "In the event that the General Assembly enacts legislation to establish an entity similar to the 'Approved Independent School Study Committee' currently proposed in S.130, the State Board of Education, in deference to the prerogatives of the Legislature, will suspend its work on Rule

2200 until the completion of the legislative Study Committee.” O’Keefe seconded the amendment language.

Discussion followed.

Peltz called the question. Chair Huling asked if the Board would like to adopt the amended language. Carroll asked for a roll call vote.

Carroll: Yea

Perrin: No

Mathis: No

Peltz: No

Weinberger: No

Johnson-Aten: No

O’Keefe: Yea

Chen: abstained

Vote: Motion does not pass. 5:2:1

Motion: O’Keefe made a motion to table this until June 1, 2017. Carroll asked for a roll call vote:

Carroll: Yea

Perrin: No

Mathis: No

Peltz: No

Weinberger: No

Johnson-Aten: No

O’Keefe: Yea

Chen: abstained

Vote: Motion does not pass. 5:2:1

Discussion continued regarding the current motion on the table.

Chair Huling called the question.

Vote: Passed 6:2. Vice Chair Mathis asked that the votes be recorded.

Carroll: No

Perrin: Yea

Mathis: Yea

Peltz: Yea

Weinberger: Yea

Johnson-Aten: Yea

O’Keefe: No

Chen: Yea

Chair Huling called for a recess at 10:55 a.m.

The meeting reconvened at 11:02 a.m.

Item K: Rule 3400 Series

Chair Huling acknowledged Donna Russo-Savage’s green sheet and the work put into it. Russo-Savage provided an overview of three key areas: governance law; structures; and possible scenarios. She said Act 46 created a phased approach and is a process that extends from 2010 –

2019. Russo-Savage said that if a school district is not newly merged by this cut-off then the district must 1) self-evaluate, 2) have conversations with nearby districts and 3) submit a proposal by November 30, 2017 pursuant to Act 46, Section 9. The proposed 3400 rules provide guidance for these proposals.

Russo-Savage said that Act 46 requires the Secretary to develop the proposed statewide plan by June 1, 2018 and the State Board to issue its final version by November 30, 2018. She continued that during the year between submission of the Sec. 9 proposals and issuance of the State Board's final statewide plan, the Secretary is required to have conversations with proposing districts and the State Board is authorized to accept additional testimony and information. Russo-Savage stated that the Agency has always assumed that this would include accepting new or revised materials from districts in response to Secretary or State Board questions. She suggested an amendment to the proposed rules to make this assumption explicit. She also noticed a typo in the proposed rules (an incorrect date) and asked that it be corrected.

Motion: Peltz made a motion to accept the proposal with the addition and corrected date. Perrin seconded the motion.

Vote: The vote passed.

Item L: Secretary's Report

Secretary Holcombe addressed a previous question from Vice Chair Mathis regarding our state ombudsman. She invited Jen Gresham, Agency of Education, to speak to the Board and explain her role as the State's Ombudsman who will oversee the disbursement of funds under the appropriate Title 1, 2, 3 and 4 to independent schools. Gresham said that there was an ombudsman under NCLB and it continues with the federal ESSA. She said it is state and local monitoring to assure that independent schools know what their allocations are and additionally, to be a part of any dispute resolution process.

Secretary Holcombe discussed the statutory mandated report on high spending special education supervisory unions or districts. She said that the trends of increasing costs are not a surprise in a state where the ADM is on the decline and the special education child count is staying the same. Secretary Holcombe continued that the answers to what is going on in each individual district is not going to be found in this report. She added that there are two studies going on in relation to special education and both will be completed prior to the next legislative session. Secretary Holcombe said that the first is looking at the special education funding formula with the help of AIR and UVM; the second report is being conducted by the Data Management Council.

Secretary Holcombe shared that she and Secretary Al Gobeille, Agency of Human Services, have been working very hard on PreK. She said that they both agree that providing early care and learning to kids that need it the most, is essential. Secretary Holcombe continued that both she and Secretary Gobeille visited both the House and Senate Education committees and testified in agreement that the Universal PreK has been frustrating in regards to early and initial implementation. She said that basically two sets of statutes have to be considered (federal and state) and two sets of regulations (federal and state) for two agencies and that they are trying to integrate this into one policy/procedure. Secretary Holcombe said there are still challenges and

there is progress and both she and Secretary Gobeille will continue to work together for a stable long-term solution.

Item M: Resolution of Appreciation for Stephan Morse and Sean-Marie Oller

Chen read the resolution for Sean-Marie Oller. The motion to accept the resolution was made by Weinberger. The motion was seconded by Johnson-Aten.

Vote: The vote passed.

Solimano read the resolution for Stephan Morse. The motion to accept the resolution was made by Perrin. The motion was seconded by Peltz.

Vote: The vote passed.

The Board adjourned for lunch break at 12:41 p.m. Chen left the meeting.

The meeting reconvened at 1:03 p.m.

Item N: Merger Proposals

Caledonia Central/Essex Caledonia Supervisory Unions presented their proposal. The presenters were Lewis Bushey of Barnet, Ray Lewis of Walden, Heather Gonyou of Waterford and Peter Clark, Consultant.

Motion: Vice Chair Mathis made the motion to accept the proposal. Peltz seconded the motion.

Vote: The vote passed.

Windham Southwest Supervisory Union Twin Valley UUSD and Southern Valley UUSD presented their proposals. The presenters were Chris Pratt, Superintendent, Chum Sumner of Halifax, Kathy Larsen of Wilmington and Paul Blais of Halifax.

Motion: Johnson-Aten made the motion to accept both proposals as written and with the Secretary's recommendation with the amendment they have requested. Peltz seconded the motion.

Vote: The vote passed.

Chair Huling called for a break at 2:02 p.m.

The meeting reconvened at 2:13 p.m. Chair Huling advised that agenda item Q will go before agenda item P.

Item Q: PreK Update and Discussion

Deputy Fowler, Agency of Education, presented a PreK update and advised that the age group is children 3-5. She said the State Board has adopted rules related to PreK that guide the policy. Fowler said the Board's interest has been very clear with a focus on equity and sustainability. She added that Act 166 is the latest step in the University PreK system and is mandatory that school systems offer it. Fowler said that this is a voluntary program that parents can take advantage of for their children. She focused on data regarding enrollment numbers of PreK children in poverty, special education status and race/ethnicity. Reeva Murphy, Agency of

Human Services, joined Fowler and explained the STARS program. Discussion followed. Fowler ended the discussion and noted that the AOE is preparing another report for the legislature that will focus on last year's data. She added that it be will be shared with the Board.

Item P: Mill River UUSD

Mill River UUSD presented their Section 721 Proposal. The presenters included Meg Allison Powden, Superintendent, Two Rivers SU; Lauren Baker, Director of Information and Technology; Dan Buckley, Black River School Board member,; Mariel Meringolo, Ludlow Elementary School Board member, David Venter, Mt. Holly School Board Chair, and Tammy Heffernan, Mill River UUSD Board Chair.

Secretary Holcombe provided context and stated that the group is asking to join an existing merger proposal. For this reason, the AOE review is not required prior to bringing the proposal to the Board. She added that they have unique reasons for wanting to move quickly and are coming directly to the Board. Secretary Holcombe continued that the AOE did not have a chance to review the financial information provided. They need to do proper vetting independently for financial viability and also assess proportionality of representation on the board with their attorney" as this is typically done by AOE staff but in this case was done by the school's attorney and financial staff.

Motion: Mathis made a motion to accept the proposal. Peltz seconded the motion.

Vote: The vote passed.

Item X-2: Section 1071(c) Waiver Requests

Diane Reilly, Principal of Hyde Park Elementary School, and Dylan LaFlam, Lamoille North MUUSD Facility Director, asked the Board for a waiver to reduce the number of required school days from 175 to 170 due to a major construction project at the elementary school.

Motion: Peltz made a motion to allow the waiver. Weinberger seconded the motion. Chair Huling asked for discussion.

Johnson-Aten offered an amendment from 5 days to 2 days. O'Keefe seconded the amendment.

Vote: Roll call
O'Keefe – Yea
Johnson-Aten – Yea
Weinberger – Yea
Peltz – No
Mathis – Yea
Perrin – Yea
Carroll – No

Vote: The vote passed to amend from 5 days to 2 days.

Vote: To accept the proposal as amended. The vote passed.

Item R: Board Communication and Discussion

Chair Huling asked that if Board members have any requests of the Agency of Education to go to her first. She indicated that she will send the requests to the Agency and additionally, help narrow the scope of the requests if necessary. Chair Huling asked for the will of the Board and how it wants to handle the communications of the Board. She said that Perrin will take notes and have a proposal ready for the Board to consider at the next meeting. Discussion followed at length. Chair Huling asked that Board members disagree in open meetings and not in the media first. Additionally, if the members speak to the media, Chair Huling asked that the members let her know and advise her to the scope of the statement or conversation. She continued that when the Board is working together it is at its best.

Chair Huling mentioned that the Board Retreat will take place on June 19th and 20th with a location to be determined. She asked that the Board members save the date.

Adjourn

Motion: Johnson-Aten moved to adjourn. Peltz seconded this motion. There was no further discussion. Huling called a vote to adjourn.

Vote: The vote to adjourn passed unanimously. The meeting adjourned at 4:25 p.m.

Minutes recorded and prepared by Suzanne Sprague
